

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/537,691 Confirmation No. 8444
Applicant : Thomas Michael Donlon
Filed : June 6, 2005
Art Unit : 1793
Examiner : Marcantoni, Paul D

Docket No. : B22-2531.US
Customer No. : 33249

Date : April 17, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the restriction requirement mailed April 8, 2008, for the above referenced application.

In the restriction requirement, the claims of the present application have been restricted as follows:

Group I Claims 1-21, 32 and 33, drawn to a method of making a gypsum product.
Group II Claims 22-31 and 34, drawn to a gypsum product.

In response, applicants elect to prosecute the claims of Group I with traverse.

Group I and Group II share the common features of gypsum, water and an emulsion comprising a (i) wax component including a nonsaponifiable wax and a saponified wax, (ii) an alkyl phenol component, (iii) a dispersant/surfactant, (iv) a carboxymethylcellulose component and (v) water. The Groups are not independent or distinct enough from each other to constitute a serious searching burden on the examiner. In order to facilitate prosecution, it is respectfully requested that all the claims be examined together.

If it would be of assistance, the Examiner is invited to contact the undersigned.

Respectfully submitted,



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Date: 4/17/08

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